

MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF MARCH 27, 2006

AT A MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 27TH DAY OF MARCH, 2006, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE KING WILLIAM COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURT HOUSE, ORDER WAS CALLED WITH THE FOLLOWING PRESENT:

T. G. SMILEY, CHAIRMAN
O. O. WILLIAMS, VICE-CHAIRMAN
C. T. REDD III
W. F. ADAMS
E. J. RIVARA

L. M. CHENAULT, COUNTY ATTORNEY
FRANK A. PLEVA, COUNTY ADMINISTRATOR

RE: APPROVAL OF MEETING AGENDA

On motion by W. F. Adams, seconded by C. T. Redd III and carried with the following vote, the Board adopted the agenda for this meeting as presented by the County Administrator, with several changes – (1) under Consent Agenda, Item 6a, Approval of Minutes of the Work Session of March 11, 2006, was deleted, as these minutes were unavailable; (2) under Consent Agenda, Item 6f, Authorization for Public Hearing on Zoning Case Z-02-06, Request to Change Zoning District Classification from A-C to R-1; Applicant: Clements Farm, Inc. was moved to the May 22, 2006, agenda; (3) under Consent Agenda, Item 6g, Authorization for Public Hearing on Zoning Case Z-03-06, Request to Change Zoning District Classification from A-C to R-1; Applicant: Clements Farm, Inc. was moved to the May 22, 2006, agenda; (4) under Consent Agenda, Item 6k, Adoption of Resolution to Establish the Department of Emergency Services in King William County was deleted, and (5) under Consent Agenda, Item 6m was added, Rejection of Bid From Franklin Mechanical in Kilmarnock in the amount of \$655,100 for construction of a 25,000 gallon per day wastewater treatment plant for the Mt. Olive Community Improvement Project and Award of Bid To Sanitherm Engineering Ltd. of Vancouver, BC, Canada in the amount of \$216,776.00

for construction of a 8,000 GPD wastewater treatment plant for the Mt. Olive Community Improvement Project. In addition, Item 7a was added – Consideration of Request for Additional Funding in the amount of \$2,400.00 in the FY-06 Budget for the Commissioner of the Revenue office

T. G. Smiley	Aye
O. O. Williams	Nay
C. T. Redd III	Aye
W. F. Adams	Aye
E. J. Rivara	Aye

RE: PUBLIC COMMENT PERIOD – SPEAKERS: ONE OPPORTUNITY OF 3 MINUTES PER INDIVIDUAL OR 5 MINUTES PER GROUP ON NON-PUBLIC HEARING MATTERS

a. Rudy Butler, President of the Virginia Association of Counties (VACO), and a member of the Board of Supervisors of Goochland County, was present and addressed the Board regarding issues which VACO has been lobbying for in the Virginia General Assembly on behalf of the counties, and advised about some of the services available to its member counties through the Virginia Association of Counties as well as through the National Association of Counties.

b. Herb White, a resident of 1186 Mill Road in Aylett, spoke regarding four topics – (1) Off-site roadway signs for Nestle-Purina kitty litter plant – Mr. White questioned why VDOT is allowing other businesses in the County, such as local restaurants and service stations, to have their signs along Route 360 in the Central Garage area and will not post a Nestle-Purina sign on Route 613? (2) Stop Light needed at Intersection of Route 600 and Route 360 at Aylett – Mr. White indicated that this topic has been previously discussed and no reply has been given – He restated the need for a stop light at this intersection due to the continuing growth of population in this area, as well as the fact that a bank exists at this intersection which draws a lot of traffic. He indicated that several years ago, VDOT installed the overhead arms but the stop lights were never activated, only the flashing caution lights. (3) Request to VDOT for Permission to Place Mattaponi Crime Solvers, Inc. signs on VDOT sign poles at strategic points within the County – Mr. White stated that Crime Solvers programs in surrounding counties are allowed to post their signs on VDOT sign poles and requested the Board to ascertain from VDOT if this would be allowed in King

William County for the Mattaponi Crime Solvers. These signs promote public awareness of the Crime Solvers Program and provide the telephone number to call to make an anonymous crime tip. Placement of these signs at strategic points in the County could greatly promote the use of the “tip line” for anonymously reporting crime facts that could assist law enforcement officials. (4) Curve on Route 600 (West River Road) between Route 30 and Route 360 – Mr. White asked for any update on the problem he has discussed many times with the Board in the past regarding a curve on Route 600 where many accidents have occurred. He stated again that some correction needs to be done with this curve, and requested the Board to investigate this matter with VDOT.

c. Tony Payne of 180 Millwood Road in Aylett, addressed the Board to publicly thank Lewis Heath, Building Official, and his staff for all the assistance they gave him when he was recently constructing a garage on his property. He indicated he had a lot of problems with a dishonest, out-of-state builder, and without the efforts of Mr. Heath and his personnel, he probably would not have a garage on his property today. He stated that Mr. Heath and his staff are a great asset to King William County.

d. Daniel Talley of 241 Fairfield Drive in Aylett, thanked the Board of Supervisors for the excellent job they are doing in getting things accomplished in the County. He cited the King William Commerce Park located on Route 360 as a good example of business coming into the County, and stated that the County needs more businesses to locate here. He asked the Board to listen well to County residents.

RE: CONSENT AGENDA

On motion by W. F. Adams, seconded by C. T. Redd III and carried with the following vote, the Board approved the following items on its consent agenda:

T. G. Smiley	Aye
O. O. Williams	Nay
C. T. Redd III	Aye
W. F. Adams	Aye
E. J. Rivara	Aye

a. Minutes of the February 27, 2006, Regular Meeting, and the Minutes of the February 15, 2006, Special Called Meeting were approved as written.

b. Claims against the County for March, 2006, in the amount of \$1,310,215.16 as follows:

(1) General Fund Warrants #61462-61694 in the amount of \$720,247.61; Manual Checks #14093-14097 in the amount of \$356,828.62; Direct Deposits #8278-8375 in the amount of \$174,250.07; and Electronic Tax Payment in the amount of \$57,888.86

(2) For informational purposes, Social Services expenditures for the month of February, 2006, Warrants #304885-304950 in the amount of \$37,037.47; Direct Deposits #1381-1397 in the amount of \$25,158.11; and Electronic Tax Payment in the amount of \$8,537.69

(3) For informational purposes, Circuit Court expenditures for the month of February, 2006, Warrants #61320-61325 in the amount of \$3,223.97; Direct Deposits #186-188 in the amount of \$7,951.68; and Electronic Tax Payment in the amount of \$8,537.69

(4) For informational purposes, Comprehensive Services Act Fund expenditures for February, 2006, Warrants #61327-61337 in the amount of \$39,446.90

(5) Tax Refunds for the month of February, 2006, in the amount of \$90.90

c. Approved appropriation of the fourth quarter of the FY-06 School Fund Budget in the total amount of \$3,649,493.00 as follows:

Instruction	\$2,606,334	Administration	\$214,008
Transportation	231,980	Oper. & Maint.	368,101
School Nutrition	19,838	Debt Service	209,222

d. Authorized advertisement for a public hearing to be held during the Board's regular April 24, 2006, meeting beginning at 7:00 p.m. to consider Zoning Case Z-05-06, a Request to Change Zoning District Classification from B-1 (Local Business) to B-2 (General Business), Applicant: Howard Townsend

e. Authorized advertisement for a public hearing to be held during the Board's regular April 24, 2006, meeting beginning at 7:00 p.m. to consider Zoning Case Z-06-06, a Request to Change Zoning District Classification from A-C (Agricultural-Conservation) to B-2 (General Business), Applicant/Contract Purchaser: AC Properties of Virginia, LLC

f. Authorized readvertisement for a public hearing to be held during the Board's regular April 24, 2006, meeting beginning at 7:00 p.m. to consider Zoning

Case Z-06-05, Request to Change Zoning District Classification from A-C (Agricultural-Conservation) to B-1 (Local Business)(Conditional); Applicant: James D. Kellum This zoning case is being readvertised for public hearing at the April 24, 2006, due to an advertising error.

g. Authorized readvertisement for a public hearing to be held during the Board's regular April 24, 2006, meeting beginning at 7:00 p.m. to consider Zoning Case #Z-01-06, Request to Change Zoning District Classification from A-C (Agricultural-Conservation) to B-2 (General Business)(Conditional); Applicant: King William Land Developers, Inc.

h. The request for a Septic Tank Easement for Carroll Epps, represented by Attorney, Peter Glubiak, was deferred to the Board's June, 2006, meeting.

i. Adopted the following resolution to Charter Mangohick Fire Department as an Emergency Medical First Response Agency

RESOLUTION TO CHARTER MANGOICK FIRE DEPARTMENT AS AN EMERGENCY MEDICAL FIRST RESPONSE AGENCY

WHEREAS, Section 15.2-955 of the Code of Virginia, 1950, as amended, requires local governing approval of any emergency medical service organization operating within that locality; and,

WHEREAS, each locality shall seek to insure that Emergency Medical Services are maintained throughout the locality; and,

WHEREAS, Mangohick Fire Department has appeared before the King William County Board of Supervisors to request approval to provide Basic Life Support services within designated boundaries within the County; and,

WHEREAS, the King William County Board of Supervisors has determined it to be in the best interest of the citizens of King William County for Mangohick Fire Department to provide these services.

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors grants approval to Mangohick Fire Department to provide these services and obtain agency license per approval of the Office of Emergency Medical Services of Virginia.

j. Rejected a bid from Franklin Mechanical of Kilmarnock, Virginia, in the amount of \$655,100 for construction of a 25,000 gallon per day wastewater treatment plant for the Mt. Olive Community Improvement Project, that was conditionally awarded by the Board in its September 26, 2005, meeting, and Awarded a bid to Sanitherm Engineering Ltd. of Vancouver, BC, Canada, in the amount of \$216,776.00 for construction of an 8,000 gallon per day wastewater treatment plant for the Mt. Olive Community Improvement Project.

RE: VDOT MATTERS – CHARLES E. STUNKLE, RESIDENCY

ADMINISTRATOR

Charles Stunkle, VDOT Residency Administrator, appeared before the Board to provide an update.

a. Route 618 – Manquin Creek Bridge Repairs - Mr. Stunkle indicated that the completion date on this project is to be July 1, 2006.

b. Route 600 (West River Road) Between Route 30 (King William Road) and Route 360 (Richmond-Tappahannock Highway) – Request to Restrict Through Truck Traffic - Mr. Stunkle advised that the Board's request to VDOT to restrict through truck traffic on Route 600 (West River Road) between Route 30 (King William Road) and Route 360 (Richmond-Tappahannock Highway) has been approved by George A. Whirley, Acting Commissioner of the Virginia Department of Transportation on behalf of the Commonwealth Transportation Board. VDOT conducted an analysis on this proposed restriction and determined that a reasonable alternate route exists, a restriction on the proposed route would not present any undue hardship, and that proper notice was given by posting signs and publishing notices advising the public of the proposed restriction and requesting written comments. Mr. Stunkle further indicated that the proper signage will be posted on Route 600 (West River Road) shortly.

c. Intersection of Route 360 and Route 600 at Aylett – Request for Installation of Stop Light - Mr. Stunkle reported that VDOT has conducted a signal feasibility study at the above stated intersection in Aylett and it now meets the warrants for a traffic signal. He also indicated that he has been assured by the Traffic Engineers that a flashing warning beacon will be installed on Route 360 around the curve.

W. F. Adams inquired about the time frame for this traffic signal to be installed and Mr. Stunkle responded that it is unknown at this time. He is to report back to the Board at the April meeting.

d. Announcement from VDOT Regarding Curtailing Contract Services for Remainder of FY-06 - Mr. Stunkle announced that VDOT will be curtailing contract services through the end of June in order to bring its budget into line. He indicated

that the first round of grass cutting will be done, but, just not by contracted services. The state forces will be doing the work, or it will be deferred until after July 1, 2006.

e. Response to Question Regarding Possible Location of a Ralston-Purina Sign Brought Up in Opening Public Comment Period - Mr. Stunkle responded to a question the Board received in its opening public comment period regarding why VDOT allowed placement of signs on Route 360 in the Central Garage area for restaurants and service stations, and will not post a Ralston-Purina sign on Route 613. Mr. Stunkle advised that the restaurants and service stations signs are a part of the VDOT Logo Program, which was created by the General Assembly to notify travelers of local services.

f. Response to Question Regarding Possible Placement of Mattaponi Crime Solvers Signs on VDOT Sign Posts in the County Presented in Opening Public Comment Period - Mr. Stunkle responded to the request received by the Board in its opening public comment period to seek permission from VDOT to place the Mattaponi Crime Solvers signs on VDOT sign posts at several locations throughout the County. He indicated that in some subdivisions, VDOT has allowed Neighborhood Watch signs to be posted, and that if the Board will present a proposal for the locations, VDOT will consider them.

g. Route 30 Restricted Traffic From 21st Street to 14th Street in Town of West Point - C. T. Redd III discussed a problem residents of the Town of West Point are experiencing with the restricted traffic from 21st Street to 14th Street. He indicated that the dump trucks are turning on 16th Street which is causing a traffic back-up. He requested Mr. Stunkle to ascertain if possibly 15th Street could be opened up for the dump trucks. Mr. Stunkle responded that the through truck traffic was restricted because the trucks were scattering everywhere, going through yards, etc.

h. Dangerous Curve - Route 600 (West River Road) Between Route 30 (King William Road) and Route 360 (Richmond-Tappahannock Highway) – Request for Assistance for Correction of Situation - E. J. Rivara discussed the situation concerning a dangerous curve on Route 600, as was brought before the Board in its opening public comment period, with Mr. Stunkle. It was learned that this project

would have to be included in the Six Year Plan for Secondary Roadways in order to obtain funding.

i. Route 360, Westbound Lane at West End of Bridge - The Chairman thanked VDOT for doing the recent patch work on the westbound lane of Route 360 at the west end of the Pamunkey River Bridge.

RE: REQUEST FROM SALLY PEARSON, COMMISSIONER OF THE REVENUE, FOR ADDITIONAL APPROPRIATIONS TO COMPLETE THE FY-06 BUDGET YEAR

Sally Pearson, Commissioner of the Revenue, addressed the Board with a request for an additional appropriation of \$2,400.00 to complete the fiscal year, 2006, budget year. This additional appropriation is being requested to cover salaries of part-time personnel, due to the extra workload associated with the increase in new subdivisions and parcels recorded and new construction in the County.

The Board discussed this request, and upon motion by C. T. Redd III, seconded by E. J. Rivara and carried unanimously, the Board appropriated the additional \$2,400.00 to the office of the Commissioner of the Revenue as requested.

RE: PLANNING MATTERS – LEE YOLTON, COMMUNITY DEVELOPMENT DIRECTOR

a. Consideration of Adoption of 2006 Update of Capital Improvements Plan
Lee Yolton, Director of Community Development, advised that the Board conducted a public hearing on the proposed 2006 Update of the Capital Improvements Plan at its February 27, 2006, meeting, and consideration of adoption of the Update was deferred until the Board's March, 2006, meeting.

Thereupon, on motion by C. T. Redd III, seconded by E. J. Rivara and carried unanimously, the Board adopted the Capital Improvements Plan (CIP) covering fiscal years 2006-2010, as was presented in public hearing.

RE: UPDATE ON COUNTY PROJECTS – FRANK A. PLEVA, COUNTY ADMINISTRATOR

a. Regional Animal Shelter - County Administrator, Frank A. Pleva, reported that the contract for construction of the regional animal shelter is finalized and was sent out to Grand Metro, Inc. last week.

b. Mt. Olive Community Improvement Project - It was reported by the County Administrator that the bid for the downsized wastewater treatment plant for the Mt. Olive Community Improvement Project was approved earlier in this meeting. At this point, 18 houses have been ordered and either placed, or the site is under construction. The well has been set and the well house has been completed. The self-help part of the project is on-going. The next meeting of the Management Team is scheduled for March 28, 2006.

RE: APPOINTMENTS

a. Building and Code Appeals Board - Two Members, Five Year Terms, One to Complete Unexpired Term of Tom Hardyman (Surveyor) (Deceased), Said Term to Expire March 1, 2010; and Term of Earl Chappel (Realtor) Expired March 1, 2006 - On motion by W. F. Adams, seconded by C. T. Redd III and carried unanimously, the Board reappointed Earl Chappell to serve a five year term on the Building and Code Appeals Board. Said term will expire March 1, 2011.

Action on the appointment to fill the seat vacated by Mr. Hardyman was tabled until the Board's April meeting.

b. Planning Commission – One Member from Third Election District for Term Ending June 30, 2008, Currently Held by Eugene Rivara - On motion by E. J. Rivara, seconded by C. T. Redd III and carried unanimously, David Ray Ford was appointed to complete the term expiring June 30, 2008, which was currently held by Eugene Rivara.

RE: PUBLIC COMMENT PERIOD – SPEAKERS: ONE OPPORTUNITY OF 3 MINUTES PER INDIVIDUAL OR 5 MINUTES PER GROUP ON NON-PUBLIC HEARING MATTERS

No persons appeared to speak.

RE: BOARD OF SUPERVISORS' COMMENTS

Appreciation was expressed to citizens in the audience for attending.

RE: RECESS OF MEETING

On motion by C. T. Redd III, seconded by W. F. Adams and carried unanimously, this meeting was recessed to be reconvened at 7:00 p.m. on April 3, 2006, in the Board Room of the King William County Administration Building at King

William Court House, to conduct a public hearing on the proposed FY-07 Budget and any other necessary County business.

COPY TESTE:

Frank A. Pleva
County Administrator